



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE:	June 1 2007
EXPIRATION DATE:	July 2 2007
REFERENCE NUMBER:	POA-2006-1961-2
WATERWAY:	Naknek River

APPLICANT: Mr. John Lowrance, Leader Creek Fisheries, L.L.C., 122 N. 84th St., Seattle, WA 98103.

AGENT: Mr. Fred Hodge, 16924 Freestad Rd., Arlington, WA 98223.

LOCATION: The project site is located within Sections 33/34, T. 16 S., R. 46 W., Seward Meridian; USGS Quad Map Naknek C-3; Latitude 58.7446° N., Longitude - 156.9441° W.; near Leader Creek, Naknek, Alaska.

SPECIAL AREA DESIGNATION: The project is located within extensive tidal mud flats in the Naknek River, near the mouth of Leader Creek; tidal mud flats provide foraging and nursery habitat.

PURPOSE: The applicant's stated purpose is to create a regional location for seasonal storage of large boats and barges and reduce energy costs in lengthy annual shuttles of large vessels to other winter storage areas. The project will also provide potential for additional local employment in seasonal maintenance of the stored vessels.

PROPOSED WORK: This project will construct a boat ramp in the Naknek River to access a planned boat storage facility. The project will consist of a 230' x 50' x 2.5' reinforced concrete ramp (1065 cubic yards [cy]) which will overlay a 1065 cy layer of compacted, crushed rock of the same dimensions (approximately 2,130 cy total discharge). The ramp and crushed rock will be placed on the existing tide flats over a fabric layer such as Amoco 2002 (or its equivalent). The ramp will support rails and a specially designed carriage with steel wheels, which will be used to move barges and or boats to upland storage sites. The proposed footprint of this project is approximately 11,500 ft² (.26 acre). Adjacent uplands will feature ballasted areas to permit lateral movement of vessels to designated storage sites.

MITIGATION: Preliminarily, the applicant has proposed that, to avoid extensive excavation in the existing tidal mudflats, installation of the concrete ramp and crushed rock be placed over a fabric layer such as Amoco 2002 (or its equivalent). Although the proposed design avoids excavation activity, this project will eliminate approximately 11,500 ft² (.26 acre) of tidal mudflat.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There is an unevaluated property in the vicinity of the worksite. It has been designated **AHRS # NAK-00008, Settlement Site**; this site on Leader Creek is approximately 900 feet north of the proposed concrete ramp to be placed in Naknek River, near the mouth of Leader Creek. Because the property has been determined to be in proximity to the project area, a determination of eligibility and, if needed, a determination of effect will be made in consultation with the State Historic Preservation Officer (SHPO). Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time. This application is being coordinated with SHPO. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known or historic range of the stellar sea lion and the humpback whale. Preliminarily, the described activity will not affect threatened or endangered species, or modify their designated critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS). Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Preliminarily, the described activity may not affect EFH in the project area. This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations they may have concerning EFH will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Valanne Glooschenko at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at Valanne.Glooschenko@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

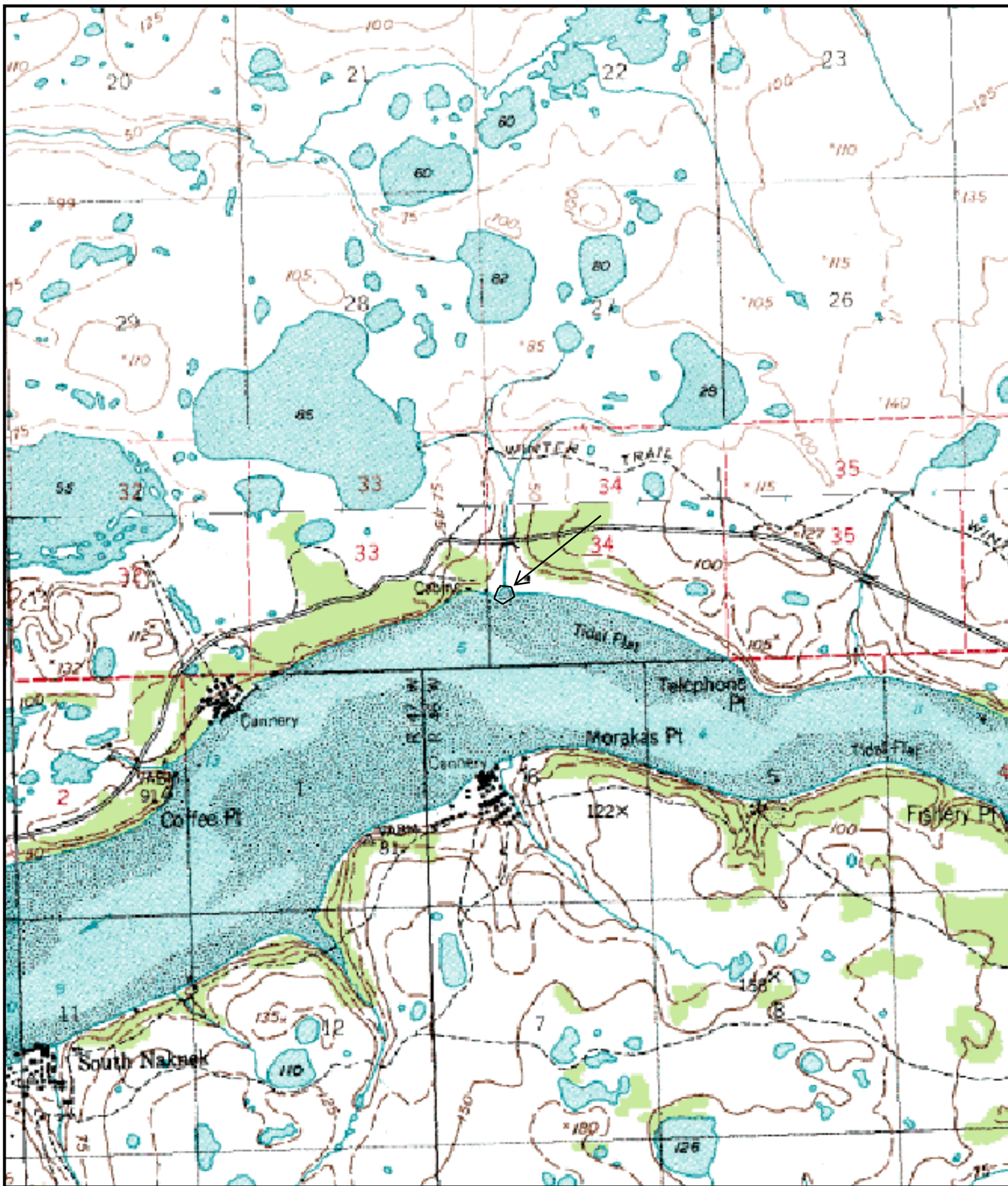
(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

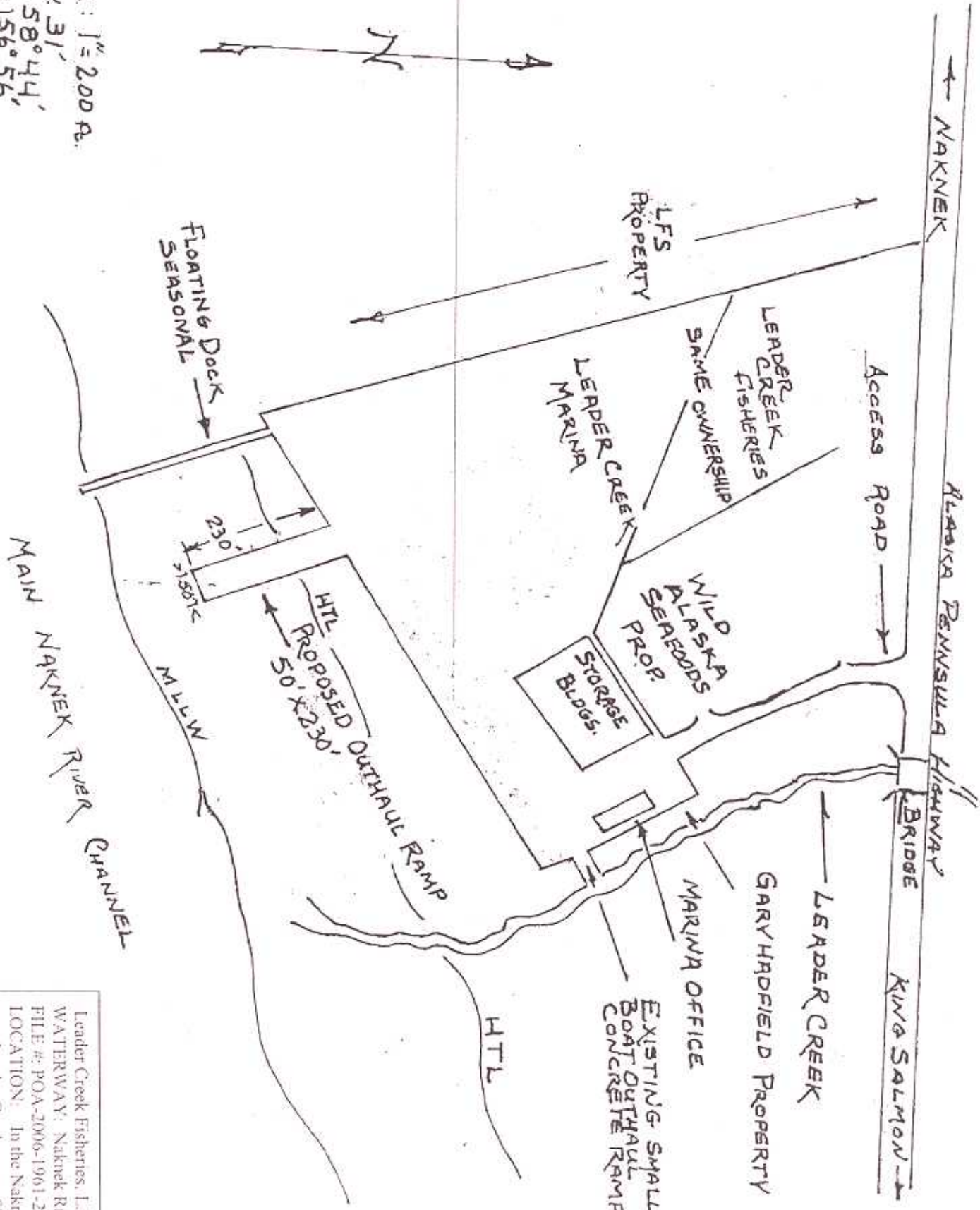
Project drawings, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures



SCALE: 1" = 200 ft.
 ELEV. 31'
 LAT: 58°44'
 LONG: 156°56'



Leader Creek Fisheries, LLC
 WATERWAY: Naknek River
 FILE #: POA-2006-1961-2
 LOCATION: In the Naknek River
 near Leader Creek, east of Naknek, AK
 DATE: 05/16/2007
 Sheet 1 of 2

LEADER CREEK
MARINA

STATE OF ALASKA

NORTH

SCALE: AS NOTED

EXISTING SHORELINE

AREA PROPOSED FOR
LOCATION OF OUTFALL
RAIMP, 230'

SCALE: 1" = 40'

H.T.L. 28'

LLW

EXISTING MUDLINE
LLW 0'

STEEL RAILS
EMBEDDED IN CONCRETE

EXISTING MUDLINE

RIVER
CHANNEL

FABRIC
LAYER

Amoco 2002
OR EQUIVALENT

230'

(1) SEE PLAN VIEW

LEADER CREEK MARINA PROJECT

Leader Creek Fisheries, L.L.C.
WATERWAY: Naknek River
FILE #: POA-2006-1961-2
LOCATION: In the Naknek River
near Leader Creek, east of Naknek, AK
DATE: 05/16/2007
Sheet 2 of 2

LEADER CREEK FISHERIES

190722468847

05/16/2007 16:49

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

ANCHORAGE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2006-1961-2, Naknek River, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

ANCHORAGE

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
550 WEST 7TH AVENUE, SUITE 705
ANCHORAGE, ALASKA 99501-3559
PHONE: (907) 269-7470/FAX: (907) 269-3981

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No.

POA-2006-1961-2, Naknek River, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting (OPMP). For information about this consistency review, contact OPMP at the address or phone number above, or visit the ACMP web site at <http://www.alaskacoast.state.ak.us//Projects/projects.html>.